

Message Text

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11

ACTION EB-07

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INFO USMISSION GENEVA

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GENEVA FOR PHELAN

E.O. 11652: N/A

TAGS: ETRD, MY

SUBJ: TEXTILES -- NEW MULTIFIBER AGREEMENT

REF: KUALA LUMPUR 214

1. VICTOR DEBRUYNE, DEPSECGEN, MINISTRY TRADE AND INDUSTRY CALLED IN EMBASSY OFFICERS JANUARY 21 TO DISCUSS WORDING AND TO SEEK CLARIFICATION CERTAIN POINTS NEW MULTIFIBER TEXTILE AGREEMENT AS PROPOSED IN EMBASSY'S NOTE JANUARY 8 (REFTEL) TO GOM. MALAYSIAN GOVT RAISES FOLLOWING QUESTIONS:

A. PARA 6 (B) SECOND SENTENCE "THE LIMITS REFERRED TO IN THIS PARAGRAPH ARE WITHOUT ADJUSTMENTS UNDER ANY OTHER PROVISION OF THIS AGREEMENT." GOM VIEWS THIS SENTENCE AS PRECLUDING CONSULTATIONS ON THIS PARAGRAPH. GOM NOTES THIS SENTENCE NOT PART OF MEMORANDUM OF UNDERSTANDING AND ASKS WHY IT NOW INCLUDED AND WHAT PURPOSE ENVISAGED BY THIS SENTENCE.

B. PARA 6 (C) AND 6 (D) FIRST SENTENCE "...EQUAL TO

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85 PERCENT OR MORE OF THE AGGREGATE LIMIT FOR THAT YEAR..."

GOM POINTS OUT THAT MEMO OF UNDERSTANDING STATED "... EQUAL TO APPROXIMATELY 85 PERCENT..." THEY WOULD LIKE TO RETAIN WORD APPROXIMATELY. WHEN QUESTIONED, VICTOR STATED THAT THEY CONSIDER 84 PLUS AS APPROXIMATELY 85 PERCENT, AND THAT PRESENT LANGUAGE PRECLUDES ROUNDING UP TO 85 PERCENT. LIKEWISE, DEBRUYNE'S DEFINITION IS THAT ANYTHING LESS THAN 84 PERCENT IS NOT APPROXIMATELY 85 PERCENT.

C. PARA 6 (C) AND 6 (D) FIRST SENTENCE "...BARRING ANY SIGNIFICANT DOWNTURN IN THE UNITED STATES MARKET..." IS NEW CAVEAT WHICH NOT CONTAINED MEMO OF UNDERSTANDING. DEBRUYNE SAYS THIS CAVEAT GIVES GOM SERIOUS POLITICAL PROBLEMS AND THAT IF INCLUDED, AGREEMENT WOULD HAVE TO BE RESUBMITTED TO CABINET FOR APPROVAL BECAUSE PREVIOUS CABINET APPROVAL GRANTED ON BASIS OF MEMORANDUM OF UNDERSTANDING. GOM POSITION IS THAT CONSIDERATIONS OF DOWNTURNS IN U.S. DOMESTIC MARKET SHOULD BE FUNCTION OF CONSULTATIONS WHICH PROVIDED FOR IN AGREEMENT.

D. PARA 6 (E) WHY IS THIS SENTENCE INCLUDED IN AGREEMENT WHEN NOT PART OF MEMO OF UNDERSTANDING? WHY IS WORD "ANY" (INCLUDED PARA 6B) OMITTED BEFORE "OTHER"?

2. PLEASE PROVIDE GUIDANCE FOR RESPONSE TO GOM AND REVISION IN TEXT, IF ANY.
UNDERHILL

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